

Borough Of Matamoras

Office of the Mayor

Richard D. Gassmann
Mayor

(570) 491-4003

email—1mat@optonline.net

904 Ave L
Matamoras, Pa 18336

ORIGINAL

RECEIVED

MAY 16 2005

Federal Communications Commission
Office of the Secretary

TO: Cathy Williams
FCC-445 12th St SW Room 1-C823
Washington, DC 20554
FROM: Richard Gassmann
Mayor, Matamoras, Pa.
RE: 47 CFR Part 76
{MB Docket No. 05-49; FCC 05-24}

DATE: April 8, 2005

Dear Ms Williams,
I attempted to send an email before the Midnight deadline regarding above information.
Somehow it did not get through. Would you please accept this letter in its place.

Enclosed is a copy of the email received back from your office in response to email.

Thank you for your consideration.

Truly yours,


Richard Gassmann
Matamoras Mayor

904 Ave L
Matamoras, Pa 18336

No. of Copies rec'd
List ABCDE

041

1mat

RECEIVED

From: Generic ecfs Account (Bill Cline) [ecfs@fcc.gov]
Sent: Friday, April 08, 2005 11:41 PM
To: 1mat@optonline.net
Subject: ECFS Reply ecfs

MAY 16 2005

Federal Communications Commission
Office of the Secretary

ECFS Received your Submission/Request at Fri Apr 08 22:41:21 GMT-05:00 2005 Eastern Time.

Invalid Proceeding 05-49;FCC 05-24

Invalid Document Type MB

If you were attempting to file a comment, ECFS was unable to process your comment at Fri Apr 08 22:41:23 GMT-05:00 2005 due to the 2 data anomalie(s) listed above. If you continue to experience problems with your submission, please contact the Help Desk for immediate assistance at ecfshelp@fcc.gov or 202-418-0193 during business hours of 8:00 a.m. - 5:00 p.m.

----- Begin Included Message -----

From 1mat@optonline.net Fri Apr 8 23:41:19 2005
Received: from smarthost1.fcc.gov (smarthost1.fcc.gov [165.135.234.3])
by fccsun24w.fcc.gov (8.11.7pl+Sun/8.11.7) with ESMTP id j393fI524432
for <ecfs@fccsun24w.fcc.gov>; Fri, 8 Apr 2005 23:41:18 -0400 (EDT)
Received: from mailgate1.fcc.gov ([165.135.0.251] [165.135.0.251]) by smarthost1.fcc.gov
with ESMTP for ecfs@fcc.gov; Fri, 8 Apr 2005 23:41:17 -0400
Received: from mta8.srv.hcvlvy.cv.net (mta8.srv.hcvlvy.cv.net [167.206.4.203])
by mailgate1.fcc.gov (dcMail/040510q) with ESMTP id j393fAtD024936
for <ecfs@fcc.gov>; Fri, 8 Apr 2005 23:41:14 -0400 (EDT)
Received: from home (ool-435217f4.dyn.optonline.net [67.82.23.244])
by mta8.srv.hcvlvy.cv.net
(iPlanet Messaging Server 5.2 HotFix 1.25 (built Mar 3 2004))
with SMTP id <0IEN00G7QU71FN@mta8.srv.hcvlvy.cv.net> for ecfs@fcc.gov; Fri,
08 Apr 2005 23:40:14 -0400 (EDT)
Date: Fri, 08 Apr 2005 23:40:36 -0400
From: 1mat <1mat@optonline.net>
Subject: ecfs
To: ecfs <ecfs@fcc.gov>
Message-Id: <EPEBILAPEPHGEAJONKFJEEPLCNAA.1mat@optonline.net>
MIME-version: 1.0
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2900.2180
X-Mailer: Microsoft Outlook IMO, Build 9.0.2416 (9.0.2910.0)
Content-type: text/plain; charset=iso-8859-1
Content-transfer-encoding: 8BIT
Importance: Normal
X-Priority: 3 (Normal)
X-MSMail-priority: Normal

ECFS - E-mail Filing
<PROCEEDING>05-49;FCC 05-24
<DATE>04/08/2005
<NAME>Richard Gassmann
<ADDRESS1>904 Ave L
<ADDRESS2>
<CITY>Matamoras
<STATE>PA
<ZIP>18336
<LAW-FIRM>
<ATTORNEY>
<FILE-NUMBER>
<DOCUMENT-TYPE>MB
<PHONE-NUMBER>570-491-4003

<DESCRIPTION>Email Comment
<CONTACT-EMAIL>lmat@optonline.net
<TEXT>Dear FCC,

As mayor of Matamoras Borough in Pennsylvania (PA), I am submitting this letter in support of adding three Scranton/Wilkes-Barre Pennsylvania TV network stations (WNEP-TV, WYOU-TV, and WBRE-TV) to our Direct TV satellite coverage area.

I recently read an item listed in the "Federal Register," FCC 47 CFR Part 76 of March 8, 2005, "Implementation of the Satellite Home Viewer Extension and Reauthorization Act of 2004; Implementation of Section 340 of the Communications Act; Notice of Proposed Rulemaking; Proposed Rule," under MB Docket No. 05-49; FCC 05-24.

I must alert the Federal Communication Commission (FCC) to an extraordinary and unacceptable situation regarding our community's lack of local access to northeast (NE) PA emergency disaster information and other critical information via satellite television and cable television.

We understand that Matamoras and neighboring Westfall Township may be the only two communities in the Pennsylvania commonwealth not able to access to their regional emergency news via direct satellite TV or cable. This lack of access includes the Scranton Emergency Alert System (EAS) disaster bulletins, NE PA weather information, local NE PA school district closing information, NE PA news, local and PA election coverage, and public access stations.

If memory serves me right, this situation started at approximately 2001 or slightly before, when our local cable television company, Matamoras Video Cable, was sold to Cablevision Systems Corporation. Sometime after this change, it may have been as late as 2003, Cablevision switched local coverage from the NE PA market to a New York/New Jersey/Connecticut media market.

At that time, many residents opted for satellite TV thinking that they could access Scranton channels and get local news. However, because of FCC restrictions, possibly based on Nielsen market ratings used as a guide to determine coverage, our area has been denied critical emergency information through our regional NE PA Scranton network TV channels.

Prior to the switch in markets, our respective communities had three Pennsylvania-based television stations giving coverage to our area. Since the switch, local citizens can't get comprehensive NE PA emergency information through satellite dish or via cable TV and there is no locally-based radio station.

We believe we may be the only Pennsylvania community to not be able to access Pennsylvania news either through satellite direct TV or cable. Our citizens have been shut out of the critical Pennsylvania information loop and have not been able to get non-critical, but still important community news from local or neighboring Pennsylvania communities (including sports, religious, historical, and other community news). Earlier this week, this lack of Pennsylvania coverage put our citizens at risk. This coverage blackout also exposed our citizens and property owners during flood conditions from Hurricane Ivan in September 2004, though flooding in Matamoras and Westfall was not as devastating as the April 2005 crisis.

Our community is located on the banks of the Delaware River. In April this year, our citizens could not be alerted through media. The only way they were aware of danger was through fire department, ambulance, police, and other emergency service personnel knocking on doors at 3:30 a.m. in the early morning hours. They alerted citizens who were in the flood zone that they had to evacuate their homes, go to shelters, or move to higher ground due to dangerous flooding conditions.

This crisis was caused by severe rainfall, snow melt off, and the unexpected release of millions of gallons of a Pennsylvania dam and two New York State reservoir waters into the Delaware River.

But because citizens could not access emergency weather and other emergency information from state, county, and municipal officials, they were in the dark as to timetables and severity of the crisis and were given next to no lead time to prepare. Some were so shocked and surprised by the short lead time that they could not act in time to get out and had to be rescued by boat by emergency crews.

This news blackout prevented many people from getting emergency bulletins

from local, county, and regional sources, evacuation news, Delaware River and upstream dam water and reservoir water release news, road closing news, and other information needed to make potentially life saving or life changing decisions. And, they could not even get school closing news or road closing news following the evacuation.

Had there been NE PA satellite or cable coverage, they could have been alerted to the growing magnitude of the problem and taken early steps to prepare to save and secure their properties, find suitable temporary housing, and make other arrangements needed under the severity of the circumstances.

Lack of access to information put property owner and citizen lives in jeopardy, caused needless expense and hardship to residents, and caused additional burdens to emergency workers.

Our area has suffered two previous disastrous floods since 1955. We are today (April 8, 2005) under consideration as a federal disaster area. Our need for relevant emergency information is compelling now and in the future.

We therefore implore you to take whatever steps are necessary, whether through a public hearing, or other reasonable means, to bring relief and more important, fairness and equitability to our citizens, who have been unreasonably and perhaps even discriminatorily denied the same health, safety, and welfare resources available to every other community.

We are therefore asking that you authorize the addition of the three Scranton network channels to your list of stations under your proposed new rules. This would then allow us to receive New York and Scranton station signals, even though we are in the New York metro area marketing footprint, rather than the Scranton footprint.

We are asking for access to Scranton markets as well as New York market via Direct Satellite TV and cable.

Thank you

Very truly yours,

Mayor Richard Gassmann

Mayor of the Borough of Matamoras Pennsylvania

904 Avenue L

Matamoras, Pennsylvania 18336

Voice: (570) 491-4003

Email: lmat@optonline.net

----- End Included Message -----